

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

5:11-CR-0602
(GTS)

JOSEPH VINCENT JENKINS,

Defendant.

APPEARANCES:

HON. RICHARD S. HARTUNIAN
United States Attorney for the N.D.N.Y.
Counsel for the Government
100 South Clinton Street
Syracuse, NY 13261-7198

OF COUNSEL:

TAMARA THOMSON, ESQ.
GWENDOLYN CARROLL, ESQ.
GEOFFREY J.L. BROWN, ESQ.
Assistant United States Attorneys

JOSEPH VINCENT JENKINS
Defendant, *Pro Se*
Cayuga County Jail
7445 County House Road
Auburn, NY 13021

GLENN T. SUDDABY, United States District Judge

DECISION and ORDER

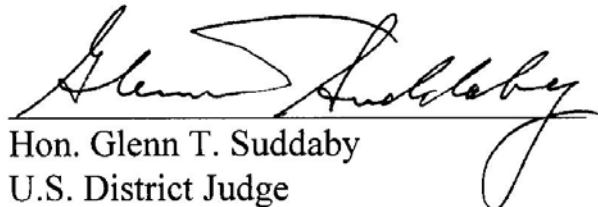
Currently before the Court in the above-captioned criminal proceeding, charging Joseph Jenkins (“Defendant”) with possessing and transporting child pornography in violation of 18 U.S.C. §§ 2252A(a)(5)(B) and 2251A(a)(1), is Defendant’s motion for the following two forms of relief: (1) an Order reconsidering the Court’s Decision and Order of May 21, 2013, denying Defendant’s motion for the production of discovery materials and the dismissal of the Indictment (Dkt. No. 68); and (2) an Order continuing this proceeding’s scheduled trial date of July 8, 2013. (Dkt. No. 74.)

Generally, the Government opposes Defendant's motion for seven reasons: (1) as stated in the Court's Decision and Order of May 21, 2013, Defendant has been provided with numerous chances to review the Government's discovery; (2) in addition, on May 27, 2013, the Government filed, and served on Defendant, a description of the disclosures made thus far in this proceeding; (3) furthermore, at the hearing on May 29, 2013, the Government provided Defendant with copies of materials previously disclosed to Defendant and additional material that it had obtained at Defendant's request; (4) as Defendant's former attorney stated in a letter filed with the Court on June 4, 2013, he had previously provided Defendant with a copy of his entire file on two occasions, and did so again on a third occasion; (5) accompanying the Government's response brief is a copy of forensic documents sought by Defendant from the Department of Homeland Security in Buffalo; (6) also accompanying the Government's response brief are the name, telephone number and transcript fee of the Canadian court report who prepared the transcripts in Defendant's Canadian proceeding; and (7) Defendant has not made the required showing of why the ends of justice served by continuing the trial date in this proceeding outweighs the best interests of the public (and Defendant) in a speedy trial. (Dkt. No. 75.)

After carefully considering the matter, Defendant's motion (Dkt. No. 74) is **DENIED** for each of the reasons stated in the Government's response brief (Dkt. No. 75).

IT IS SO ORDERED.

Dated: June 11, 2013
Syracuse, New York


Hon. Glenn T. Suddaby
U.S. District Judge